

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

IN RE PORK ANTITRUST LITIGATION

Case No. 18-cv-1776 (JRT/JFD)

This Document Relates To:
Direct Action Plaintiffs

ANSWER TO DIRECT ACTION PLAINTIFFS' CONSOLIDATED COMPLAINT

Tyson Foods, Inc., Tyson Prepared Foods, Inc., and Tyson Fresh Meats, Inc. ("Tyson"), by and through the undersigned counsel, submits its answer and affirmative defenses to the Consolidated Complaint by the Direct Action Plaintiffs ("DAPs") on December 5, 2022 as follows:

1. Tyson specifically denies the conspiracy alleged in the Complaint. Tyson denies the allegations in Paragraph 1.
2. Paragraph 2 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions.
3. Tyson specifically denies the conspiracy alleged in the Complaint. Tyson admits only that during the relevant time period, Tyson and some other pork producers submitted information to Agri Stats, and Agri Stats reported anonymized information to Tyson, for procompetitive benchmarking purposes, as it had done since at least the mid-1990s. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 3, and, therefore, denies these allegations.
4. Tyson specifically denies the conspiracy alleged in the Complaint. Tyson admits

only that it is a member of certain industry trade associations. Tyson denies all characterizations of its membership in said associations set forth in Paragraph 4 as well as all other allegations in Paragraph 4. To the extent that the allegations in Paragraph 4 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations, and, therefore, denies these allegations.

5. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 5 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent that the allegations in Paragraph 5 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations, and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 5.

6. The allegations set forth in Paragraph 6 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 6 and, therefore, denies the allegations.

7. Tyson specifically denies the conspiracy alleged in the Complaint. Tyson admits only that it is a member of certain industry trade associations. Tyson denies all characterizations of its membership in said associations set forth in Paragraph 7 as well as all other allegations in Paragraph 7. Paragraph 7 also contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent that the allegations in Paragraph 7 relate

to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations, and, therefore, denies these allegations. Tyson denies any remaining allegations in this Paragraph.

8. Paragraph 8 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 8 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

9. Tyson specifically denies the conspiracy alleged in the Complaint. Tyson admits only that during the relevant time period, Tyson and some other pork producers submitted information to Agri Stats, and Agri Stats reported anonymized information to Tyson, for procompetitive benchmarking purposes, as it had done since at least the mid-1990s. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 9, and, therefore, denies these allegations.

10. Tyson specifically denies the conspiracy alleged in the Complaint. Tyson admits only that during the relevant time period, Tyson and some other pork producers submitted information to Agri Stats, and Agri Stats reported anonymized information to Tyson, for procompetitive benchmarking purposes, as it had done since at least the mid-1990s. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 10 and, therefore, denies these allegations.

11. Tyson specifically denies the conspiracy alleged in the Complaint. To the extent that the allegations in Paragraph 11 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the

allegations and, therefore, denies these allegations.

12. Tyson specifically denies the conspiracy alleged in the Complaint. To the extent that the allegations in Paragraph 12 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 12.

13. Tyson specifically denies the conspiracy alleged in the Complaint. Tyson denies that it is vertically integrated and states that between 2009 and 2018, Tyson purchased approximately 95% of its hogs from independent hog farmers. Paragraph 13 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions.

14. Tyson specifically denies the conspiracy alleged in the Complaint. Tyson states that numerous factors and events throughout the alleged Conspiracy Period, including a Swine Flu in 2009 to 2010, and the PEDv epidemic in 2014, impacted Tyson's pork production, and that Tyson makes production decisions based solely on its independent business judgment. Paragraph 14 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions.

15. Tyson denies the allegations in Paragraph 15.

16. Tyson denies that Plaintiffs are entitled to any of the relief requested herein.

17. Tyson denies that Plaintiffs are entitled to any of the relief requested herein.

18. Paragraph 18 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions.

19. Tyson admits the allegations in Paragraph 19.

20. Tyson admits the allegations in Paragraph 20.

21. Tyson admits only that This Court has personal jurisdiction over it. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 21 and, therefore, denies them.

22. Tyson denies the conspiracy alleged in the Complaint.

23. The allegations set forth in Paragraph 23 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 23 and, therefore, denies these allegations.

24. The allegations set forth in Paragraph 24 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 24 and, therefore, denies these allegations.

25. The allegations set forth in Paragraph 25 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph 25 and, therefore, denies these allegations.

26. The allegations set forth in Paragraph 26 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 26 and, therefore, denies these allegations.

27. The allegations set forth in Paragraph 27 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 27 and, therefore, denies these allegations.

28. The allegations set forth in Paragraph 28 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 28 and, therefore, denies these allegations.

29. The allegations set forth in Paragraph 29 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 29 and, therefore, denies these allegations.

30. The allegations set forth in Paragraph 30 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 30 and, therefore, denies these allegations.

31. The allegations set forth in Paragraph 31 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 31 and, therefore, denies these allegations.

32. The allegations set forth in Paragraph 32 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 32 and, therefore, denies these allegations.

33. The allegations set forth in Paragraph 33 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 33 and, therefore, denies these allegations.

34. The allegations set forth in Paragraph 34 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph 34 and, therefore, denies these allegations.

35. The allegations set forth in Paragraph 35 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 35 and, therefore, denies these allegations.

36. The allegations set forth in Paragraph 36 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 36 and, therefore, denies these allegations.

37. The allegations set forth in Paragraph 37 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 37 and, therefore, denies these allegations.

38. The allegations set forth in Paragraph 38 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 38 and, therefore, denies these allegations.

39. The allegations set forth in Paragraph 39 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 39 and, therefore, denies these allegations.

40. The allegations set forth in Paragraph 40 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 40, therefore, denies these allegations.

41. The allegations set forth in Paragraph 41 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 41 and, therefore, denies these allegations.

42. The allegations set forth in Paragraph 42 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 42 and, therefore, denies these allegations.

43. The allegations set forth in Paragraph 43 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph 43 and, therefore, denies these allegations.

44. The allegations set forth in Paragraph 44 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 44 and, therefore, denies these allegations.

45. The allegations set forth in Paragraph 45 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 45 and, therefore, denies these allegations.

46. The allegations set forth in Paragraph 46 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 46 and, therefore, denies these allegations.

47. The allegations set forth in Paragraph 47 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 47 and, therefore, denies these allegations.

48. The allegations set forth in Paragraph 48 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 48 and, therefore, denies these allegations.

49. The allegations set forth in Paragraph 49 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 49 and, therefore, denies these allegations.

50. The allegations set forth in Paragraph 50 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 50 and, therefore, denies these allegations.

51. The allegations set forth in Paragraph 51 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 51 and, therefore, denies these allegations.

52. The allegations set forth in Paragraph 52 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph 52 and, therefore, denies these allegations.

53. The allegations set forth in Paragraph 53 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 53 and, therefore, denies these allegations.

54. The allegations set forth in Paragraph 54 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 54 and, therefore, denies these allegations.

55. The allegations set forth in Paragraph 55 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 55 and, therefore, denies these allegations.

56. The allegations set forth in Paragraph 56 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 56 and, therefore, denies these allegations.

57. The allegations set forth in Paragraph 57 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 57 and, therefore, denies these allegations.

58. The allegations set forth in Paragraph 58 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 58 and, therefore, denies these allegations.

59. The allegations set forth in Paragraph 59 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 59 and, therefore, denies these allegations.

60. The allegations set forth in Paragraph 60 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 60 and, therefore, denies these allegations.

61. The allegations set forth in Paragraph 61 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph 61 and, therefore, denies these allegations.

62. The allegations set forth in Paragraph 62 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 62 and, therefore, denies these allegations.

63. The allegations set forth in Paragraph 63 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 63 and, therefore, denies these allegations.

64. The allegations set forth in Paragraph 64 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 64 and, therefore, denies these allegations.

65. The allegations set forth in Paragraph 65 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 65 and, therefore, denies these allegations.

66. The allegations set forth in Paragraph 66 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 66 and, therefore, denies these allegations.

67. The allegations set forth in Paragraph 67 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 67 and, therefore, denies these allegations.

68. The allegations set forth in Paragraph 68 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 68 and, therefore, denies these allegations.

69. The allegations set forth in Paragraph 69 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 69 and, therefore, denies these allegations.

70. The allegations set forth in Paragraph 70 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph 70 and, therefore, denies these allegations.

71. The allegations set forth in Paragraph 71 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 71 and, therefore, denies these allegations.

72. The allegations set forth in Paragraph 72 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 72 and, therefore, denies these allegations.

73. The allegations set forth in Paragraph 73 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 73 and, therefore, denies these allegations.

74. The allegations set forth in Paragraph 74 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 74 and, therefore, denies these allegations.

75. The allegations set forth in Paragraph 75 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 75 and, therefore, denies these allegations.

76. The allegations set forth in Paragraph 76 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 76 and, therefore, denies these allegations.

77. The allegations set forth in Paragraph 77 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 77 and, therefore, denies these allegations.

78. The allegations set forth in Paragraph 78 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 78 and, therefore, denies these allegations.

79. The allegations set forth in Paragraph 79 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph 79 and, therefore, denies these allegations.

80. The allegations set forth in Paragraph 80 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 80 and, therefore, denies these allegations.

81. Paragraph 81 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions.

82. The allegations set forth in Paragraph 82 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 82 and, therefore, denies these allegations.

83. The allegations set forth in Paragraph 83 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 83 and, therefore, denies these allegations.

84. The allegations set forth in Paragraph 84 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph 84 and, therefore, denies these allegations.

85. The allegations set forth in Paragraph 85 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 85 and, therefore, denies these allegations.

86. The allegations set forth in Paragraph 86 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 86 and, therefore, denies these allegations.

87. The allegations set forth in Paragraph 87 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 87 and, therefore, denies these allegations.

88. The allegations set forth in Paragraph 88 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 88 and, therefore, denies these allegations.

89. The allegations set forth in Paragraph 89 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 89 and, therefore, denies these allegations.

90. The allegations set forth in Paragraph 90 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 90 and, therefore, denies these allegations.

91. The allegations set forth in Paragraph 91 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 91 and, therefore, denies these allegations.

92. The allegations set forth in Paragraph 92 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 92 and, therefore, denies these allegations.

93. The allegations set forth in Paragraph 93 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph 93 and, therefore, denies these allegations.

94. Tyson specifically denies the conspiracy alleged in the Complaint. Tyson admits it is a publicly-traded Delaware Corporation with its principal place of business in Springdale, Arkansas and that it sold pork in interstate commerce during the Conspiracy Period. Tyson denies the remaining allegations in Paragraph 94.

95. Tyson specifically denies the conspiracy alleged in the Complaint. Tyson admits that Tyson Prepared Foods, Inc., is a Delaware corporation and is a wholly-owned subsidiary of Tyson Foods, Inc., and that it sold pork in interstate commerce during the Conspiracy Period. Tyson denies the remaining allegations in Paragraph 95.

96. Tyson specifically denies the conspiracy alleged in the Complaint. Tyson admits that Tyson Fresh Meats, Inc., is a Delaware corporation and is a wholly-owned subsidiary of Tyson Foods, Inc., and that it sold pork in interstate commerce during the Conspiracy Period. Tyson denies the remaining allegations in Paragraph 95.

97. Tyson specifically denies the conspiracy alleged in the Complaint. Tyson admits only that during the relevant time period, Tyson and some other pork producers submitted information to Agri Stats, and Agri Stats reported anonymized information to Tyson, for procompetitive benchmarking purposes, as it had done since at least the mid-1990s. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 97 and, therefore, denies these allegations.

98. Tyson admits that it disclosed that it was cooperating with the DOJ in a June 10, 2020 press release. To the extent the allegations in Paragraph 98 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any

characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 98.

99. The allegations set forth in Paragraph 99 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 99, and, therefore, denies those allegations.

100. The allegations set forth in Paragraph 100 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 100 and, therefore, denies these allegations.

101. The allegations set forth in Paragraph 101 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 101 and, therefore, denies these allegations.

102. The allegations set forth in Paragraph 102 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 102 and, therefore, denies these allegations. Paragraph 102 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is

required, Tyson denies such characterizations and/or conclusions. Tyson denies any remaining allegations in Paragraph 102.

103. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 103 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions.

104. Tyson specifically denies the conspiracy alleged in the Complaint. Tyson admits that it engaged in business that affected or was within the flow of interstate commerce. The remaining parts of Paragraph 104 contain Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 104 about third parties and, therefore, denies these allegations.

105. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 105 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions.

106. Tyson specifically denies the conspiracy alleged in the Complaint. Tyson admits only that during the relevant time period, Tyson and some other pork producers submitted information to Agri Stats, and Agri Stats reported anonymized information to Tyson, for procompetitive benchmarking purposes, as it had done since at least the mid-1990s. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 106 and, therefore, denies these allegations.

107. The allegations set forth in Paragraph 107 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 107 and, therefore, denies these allegations.

108. Tyson admits only that during the relevant time period, Tyson and some other pork producers submitted information to Agri Stats, and Agri Stats reported anonymized information to Tyson, for procompetitive benchmarking purposes, as it had done since at least the mid-1990s. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 108 and, therefore, denies these allegations.

109. Tyson admits only that during the relevant time period, Tyson and some other pork producers submitted information to Agri Stats, and Agri Stats reported anonymized information to Tyson, for procompetitive benchmarking purposes, as it had done since at least the mid-1990s. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 109 and, therefore, denies these allegations.

110. To the extent the allegations in Paragraph 41 purport to relate to Tyson, Tyson denies the allegations. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 110 and, therefore, denies these allegations. To the extent the allegations in Paragraph 110 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

111. Tyson specifically denies the conspiracy alleged in the Complaint. To the extent that the allegations in Paragraph 111 relate to other Defendants and/or third parties to this action,

Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. To the extent the allegations in Paragraph 111 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

112. Tyson specifically denies the conspiracy alleged in the Complaint. To the extent the allegations in Paragraph 112 purport to relate to Tyson, Tyson denies the allegations. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 112 and, therefore, denies these allegations. To the extent the allegations in Paragraph 112 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

113. Tyson specifically denies the conspiracy alleged in the Complaint. Tyson admits only that during the relevant time period, Tyson and some other pork producers submitted information to Agri Stats, and Agri Stats reported anonymized information to Tyson, for procompetitive benchmarking purposes, as it had done since at least the mid-1990s. Paragraph 113 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent that the allegations in Paragraph 113 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 113.

114. Tyson admits only that Deb McConnell was responsible in part for submitting information to and receiving information from Agri Stats, but denies Plaintiffs' characterization of Ms. McConnell as an executive. To the extent that the allegations in Paragraph 114 relate to

other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 114.

115. Tyson specifically denies the conspiracy alleged in the Complaint. Tyson admits only that during the relevant time period, Tyson and some other pork producers submitted information to Agri Stats, and Agri Stats reported anonymized information to Tyson, for procompetitive benchmarking purposes, as it had done since at least the mid-1990s. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 115 and, therefore, denies these allegations.

116. Tyson specifically denies that Noel White was the President of Tyson Fresh Meats in 2013. To the extent the allegations in Paragraph 116 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 116.

117. Tyson specifically denies the conspiracy alleged in the Complaint. Tyson admits only that during the relevant time period, Tyson and some other pork producers submitted information to Agri Stats, and Agri Stats reported anonymized information to Tyson, for procompetitive benchmarking purposes, as it had done since at least the mid-1990s. To the extent that the allegations in Paragraph 117 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 117.

118. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 118 and, therefore, denies these allegations. To the extent that the allegations in Paragraph 118 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations.

119. The allegations set forth in Paragraph 119 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 119 and, therefore, denies these allegations.

120. Tyson specifically denies the conspiracy alleged in the Complaint. To the extent the allegations in Paragraph 120 purport to relate to Tyson, Tyson denies them. To the extent that the allegations in Paragraph 120 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. To the extent the allegations in Paragraph 120 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

121. Paragraph 121 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or allegations.

122. To the extent the allegations in Paragraph 122 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

123. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 123 contains Plaintiff's characterization of its claims and/or legal conclusions to which no response is required. To the extent the allegations in Paragraph 123 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 123 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 123.

124. To the extent the allegations in Paragraph 124 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 124.

125. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 125 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions.

126. Tyson specifically denies the conspiracy alleged in the Complaint. To the extent the allegations in Paragraph 126 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 126 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations.

127. The allegations set forth in Paragraph 127 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 127 and, therefore, denies these allegations. To the extent the allegations in Paragraph 127 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

128. Tyson denies the allegations in Paragraph 128, except that Tyson admits that Agri Stats made site visits to certain Tyson facilities on occasion. To the extent that the allegations in Paragraph 128 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations.

129. Tyson admits only that Agri Stats made site visits to certain Tyson facilities on occasion. Paragraph 129 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent that the allegations in Paragraph 129 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 129.

130. To the extent the allegations in Paragraph 130 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 130 relate to other Defendants and/or third parties to this action, Tyson denies

knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations.

131. The allegations set forth in Paragraph 131 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 131 and, therefore, denies these allegations. To the extent the allegations in Paragraph 131 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 131.

132. The allegations set forth in Paragraph 132 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 132 and, therefore, denies these allegations. To the extent the allegations in Paragraph 132 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 132.

133. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 133 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions.

134. Paragraph 134 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 134 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 134.

135. Tyson admits only to receiving quarterly and monthly reports from Agri Stats. To the extent that the allegations in Paragraph 135 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. To the extent the allegations in Paragraph 135 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 135, and, therefore, denies these allegations.

136. Tyson admits that it received reports mailed to it by Agri Stats. To the extent the allegations in Paragraph 136 purport to relate to Tyson, Tyson denies such allegations. To the extent that the allegations in Paragraph 136 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations.

137. Paragraph 137 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent that the allegations in Paragraph 137 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or

information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations.

138. Paragraph 138 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions, and specifically denies that it was able to "de-anonymize" data from Agri Stats. To the extent the allegations in Paragraph 138 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 138.

139. Paragraph 139 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 139 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 139.

140. Paragraph 140 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 140 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 140.

141. The allegations set forth in Paragraph 141 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in

this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 141 and, therefore, denies these allegations. To the extent the allegations in Paragraph 141 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 141.

142. The allegations set forth in Paragraph 142 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 142 and, therefore, denies these allegations. To the extent the allegations in Paragraph 142 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 142.

143. The allegations set forth in Paragraph 143 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 143 and, therefore, denies these allegations. To the extent the allegations in Paragraph 143 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 143.

144. The allegations set forth in Paragraph 144 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 144 and, therefore, denies these allegations. To the extent the allegations in Paragraph 144 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 144.

145. To the extent the allegations in Paragraph 145 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 145.

146. Paragraph 146 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 146 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 146 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 146.

147. The allegations set forth in Paragraph 147 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in

this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 147 and, therefore, denies these allegations. To the extent the allegations in Paragraph 147 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 147.

148. The allegations set forth in Paragraph 148 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 148 and, therefore, denies these allegations. To the extent the allegations in Paragraph 148 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 148.

149. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 149 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions.

150. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 150 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions.

151. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 151 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. Tyson denies any remaining allegations in Paragraph 151.

152. Paragraph 152 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 152 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 152.

153. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 153 and, therefore, denies these allegations.

154. To the extent the allegations in Paragraph 154 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 154 and, therefore, denies these allegations.

155. To the extent the allegations in Paragraph 155 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 155.

156. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 156 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response

is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. Tyson denies any remaining allegations in Paragraph 156.

157. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 157 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions.

158. Tyson specifically denies the conspiracy alleged in the Complaint. Tyson states only that between 2009 and 2018, Tyson purchased approximately 95% of its hogs from independent hog farmers, and that an increase in the price of hogs in the industry also increases the price Tyson pays for hogs. Paragraph 158 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions.

159. Paragraph 159 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or allegations.

160. Paragraph 160 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or allegations.

161. Paragraph 161 contains Plaintiff's characterization of its claims and/or legal conclusions, to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or allegations. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 161 and, therefore, denies these allegations.

162. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 162 and, therefore, denies these allegations.

163. Tyson specifically denies the conspiracy alleged in the Complaint. Tyson denies that it is vertically integrated and states that between 2009 and 2018, Tyson purchased approximately 95% or more of its hogs from independent hog farmers. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 163 and, therefore, denies these allegations.

164. Tyson denies that it is vertically integrated and states that between 2009 and 2018, Tyson purchased approximately 95% of its hogs from independent hog farmers. Paragraph 164 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. Tyson denies any remaining allegations in Paragraph 164.

165. Tyson denies Plaintiffs' characterization of independent farmers as "contract employees." Between 2009 and 2018, Tyson purchased approximately 95% of its hogs from independent hog farmers, with whom Tyson has a buyer-seller relationship. To the extent that the allegations in Paragraph 165 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. To the extent the allegations in Paragraph 165 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

166. Tyson admits that the allegations in sentences one through seven of Paragraph 166 are a general description of pork production, but denies the assumed numbers and states that the specifics of pork production vary from producer to producer. Tyson denies knowledge or

information sufficient to form a belief as to the truth of the eighth sentence of Paragraph 166 and, on that basis, denies the allegations.

167. To the extent the allegations in Paragraph 167 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

168. The allegations set forth in Paragraph 168 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 168 and, therefore, denies these allegations.

169. The allegations set forth in Paragraph 169 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 169 and, therefore, denies these allegations.

170. The allegations set forth in Paragraph 170 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 170 and, therefore, denies these allegations.

171. The allegations set forth in Paragraph 171 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph 171 and, therefore, denies these allegations.

172. The allegations set forth in Paragraph 172 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 172 and, therefore, denies these allegations.

173. To the extent the allegations in Paragraph 173 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies the remaining allegations in Paragraph 173.

174. The allegations set forth in Paragraph 174 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 174 and, therefore, denies these allegations.

175. The allegations set forth in Paragraph 175 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 175 and, therefore, denies these allegations.

176. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 176 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response

is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent that the allegations in Paragraph 176 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations.

177. Tyson admits only that Tyson sells packaged pork under various name brands. Paragraph 177 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent that the allegations in Paragraph 177 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations.

178. To the extent that the allegations in Paragraph 178 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. To the extent the allegations in Paragraph 178 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

179. Paragraph 179 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. Tyson denies the allegations in Paragraph 179 directed to Tyson. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 179 and, therefore, denies these allegations.

180. Tyson specifically denies the conspiracy alleged in the Complaint. Tyson denies that it is vertically integrated and states that between 2009 and 2018, Tyson purchased approximately 95% of its hogs from independent hog farmers. Paragraph 180 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent that the allegations in Paragraph 180 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 180.

181. Paragraph 181 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent that the allegations in Paragraph 181 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. To the extent the allegations in Paragraph 181 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

182. The allegations set forth in Paragraph 182 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 182 and, therefore, denies these allegations.

183. The allegations set forth in Paragraph 183 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 183 and, therefore, denies these allegations.

184. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 184 and, therefore, denies these allegations.

185. Tyson admits that Cargill acquired one of Tyson Food's pork packing divisions in 1995. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 185 and, therefore, denies these allegations.

186. Paragraph 186 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions.

187. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 187 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent that the allegations in Paragraph 187 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations.

188. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 188 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions.

189. Paragraph 189 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 189 and, therefore, denies these allegations.

190. Paragraph 190 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 190 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 190.

191. Paragraph 191 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 191 and, therefore, denies these allegations.

192. Tyson specifically denies the conspiracy alleged in the Complaint. Tyson admits only that it is a member of certain industry trade associations. Tyson denies all characterizations of its membership in said associations set forth in Paragraph 192 as well as all other allegations in Paragraphs 192. To the extent that the allegations in Paragraph 192 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations.

193. Tyson specifically denies the conspiracy alleged in the Complaint. Tyson admits only that it and/or certain of its employees have been at some point a member and/or attendee of the organizations and events identified in Paragraph 193, and that Todd Neff was a member of the National Pork Producers Council. Paragraph 193 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent that the allegations in Paragraph 193 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 193.

194. To the extent the allegations in Paragraph 194 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 194 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations.

195. The allegations set forth in Paragraph 195 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 195 and, therefore, denies these allegations.

196. The allegations set forth in Paragraph 196 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph 196, and, therefore, denies these allegations. To the extent the allegations in Paragraph 196 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

197. Tyson admits only that Tyson sponsored the NPIC at some point in the Relevant Time Period and that Tyson employees attended the 2012 NPIC meeting. To the extent the allegations in Paragraph 197 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 197 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 197.

198. The allegations set forth in Paragraph 198 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 198 and, therefore, denies these allegations. To the extent the allegations in Paragraph 198 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

199. The allegations set forth in Paragraph 199 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 199 and,

therefore, denies these allegations. To the extent the allegations in Paragraph 199 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

200. Tyson admits only that Todd Neff participated on the NPIC's Packer Panel but denies any further characterization of that panel. To the extent the allegations in Paragraph 200 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 200 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations.

201. To the extent the allegations in Paragraph 201 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

202. The allegations set forth in Paragraph 202 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 202 and, therefore, denies these allegations. To the extent the allegations in Paragraph 202 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

203. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 203 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or

conclusions. To the extent that the allegations in Paragraph 203 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations.

204. Tyson admits only that Tyson employee(s) have attended 21st Century Pork Club events during the Relevant Time Period. To the extent that the allegations in Paragraph 204 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 204.

205. Tyson admits only that various Tyson employees have attended PPIC meetings and that Todd Neff has served in a certain role or roles at PPIC at some point during the Relevant Period. To the extent that the allegations in Paragraph 205 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 205.

206. Paragraph 206 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent that the allegations in Paragraph 206 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations.

207. The allegations set forth in Paragraph 207 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph 207 and, therefore, denies these allegations.

208. The allegations set forth in Paragraph 208 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 208 and, therefore, denies these allegations.

209. Tyson admits that Tom Hayes, Jim Lochner, and Sara Lilygren of Tyson Foods, Inc., served on the American Meat Institute (“AMI”) and/or NAMI Board of Directors at some point during the Relevant period. To the extent that the allegations in Paragraph 209 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations.

210. Tyson admits only that Sara Lilygren has served on the AMI and/or NAMI Executive Committee. To the extent that the allegations in Paragraph 210 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 210.

211. Tyson admits only that some of its employees were registered to attend the 2012 “Annual Meat Conference” referenced in Paragraph 211. To the extent the allegations in Paragraph 211 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 211 relate to other Defendants and/or

third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 211.

212. The allegations set forth in Paragraph 212 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 212 and, therefore, denies these allegations. To the extent the allegations in Paragraph 212 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

213. The allegations set forth in Paragraph 213 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 213 and, therefore, denies these allegations. To the extent the allegations in Paragraph 213 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

214. The allegations set forth in Paragraph 214 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 214 and, therefore, denies these allegations. To the extent the allegations in Paragraph 214 characterize or

describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

215. The allegations set forth in Paragraph 215 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 215 and, therefore, denies these allegations. To the extent the allegations in Paragraph 215 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

216. The allegations set forth in Paragraph 216 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 216 and, therefore, denies these allegations. To the extent the allegations in Paragraph 216 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

217. The allegations set forth in Paragraph 217 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 217 and, therefore, denies these allegations.

218. To the extent the allegations in Paragraph 218 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

219. Tyson denies the allegations in Paragraph 219.

220. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 220 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 220 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

221. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 221 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent that the allegations in Paragraph 221 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations.

222. Tyson specifically denies the conspiracy alleged in the Complaint. Tyson states that numerous factors and events throughout the alleged Relevant Period, including a Swine Flu in 2009 to 2010, and the PEDv epidemic in 2014, impacted Tyson's pork production, and that Tyson makes production decisions based solely on its independent business judgment. Paragraph 222 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent that the allegations in Paragraph 222 relate to other Defendants

and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. To the extent the allegations in Paragraph 222 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

223. Tyson states that numerous factors and events throughout the alleged Relevant Period, including a Swine Flu in 2009 to 2010, and the PEDv epidemic in 2014, impacted Tyson's pork production, and that Tyson makes production decisions based solely on its independent business judgment. Paragraph 223 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 223 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

224. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 224 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent that the allegations in Paragraph 224 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations.

225. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 225 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or

conclusions. To the extent the allegations in Paragraph 225 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 225.

226. To the extent the allegations in Paragraph 226 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations.

227. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 227 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions.

228. Tyson specifically denies the conspiracy alleged in the Complaint. To the extent the allegations in Paragraph 228 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

229. Paragraph 229 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. Tyson admits that it received Agri Stats reports containing certain information on exports. To the extent the allegations in Paragraph 229 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the

extent that the allegations in Paragraph 229 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 229.

230. Tyson specifically denies the conspiracy alleged in the Complaint. Tyson denies the allegations in Paragraph 230.

231. The allegations set forth in Paragraph 231 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 231 and, therefore, denies these allegations.

232. The allegations set forth in Paragraph 232 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 232 and, therefore, denies these allegations.

233. The allegations set forth in Paragraph 233 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 233 and, therefore, denies these allegations.

234. The allegations set forth in Paragraph 234 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in

this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 234 and, therefore, denies these allegations.

235. The allegations set forth in Paragraph 235 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 235 and, therefore, denies these allegations.

236. The allegations set forth in Paragraph 236 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 236 and, therefore, denies these allegations.

237. The allegations set forth in Paragraph 237 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 237 and, therefore, denies these allegations.

238. The allegations set forth in Paragraph 238 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 238 and, therefore, denies these allegations.

239. The allegations set forth in Paragraph 239 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 239 and, therefore, denies these allegations.

240. Tyson states that numerous factors and events throughout the alleged Relevant Period, including a Swine Flu in 2009 to 2010, and the PEDv epidemic in 2014, impacted Tyson's pork production, and that Tyson makes production decisions based solely on its independent business judgment. Tyson admits that in 2009, its subsidiary The Pork Group implemented the long-planned closure of hog-growing facilities in Arkansas because they were not profitable, resulting in a temporary reduction of TPG's total sow herd of 20,000 sows. To the extent the allegations in Paragraph 240 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

241. To the extent the allegations in Paragraph 241 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 241.

242. To the extent the allegations in Paragraph 242 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 242.

243. Paragraph 243 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 243 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 243.

244. The allegations set forth in Paragraph 244 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 244 and, therefore, denies these allegations.

245. The allegations set forth in Paragraph 245 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 245 and, therefore, denies these allegations.

246. The allegations set forth in Paragraph 246 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 246 and, therefore, denies these allegations.

247. The allegations set forth in Paragraph 247 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in

this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 247 and, therefore, denies these allegations.

248. The allegations set forth in Paragraph 248 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 248 and, therefore, denies these allegations.

249. The allegations set forth in Paragraph 249 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 249 and, therefore, denies these allegations.

250. The allegations set forth in Paragraph 250 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 250 and, therefore, denies these allegations.

251. The allegations set forth in Paragraph 251 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 251 and, therefore, denies these allegations.

252. The allegations set forth in Paragraph 252 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 252 and, therefore, denies these allegations.

253. The allegations set forth in Paragraph 253 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 253 and, therefore, denies these allegations.

254. The allegations set forth in Paragraph 254 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 254 and, therefore, denies these allegations.

255. The allegations set forth in Paragraph 255 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 255 and, therefore, denies these allegations.

256. The allegations set forth in Paragraph 256 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph 256 and, therefore, denies these allegations.

257. The allegations set forth in Paragraph 257 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 257 and, therefore, denies these allegations.

258. The allegations set forth in Paragraph 258 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 258 and, therefore, denies these allegations.

259. The allegations set forth in Paragraph 259 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 250 and, therefore, denies these allegations.

260. The allegations set forth in Paragraph 260 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 260 and, therefore, denies these allegations.

261. The allegations set forth in Paragraph 261 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 261 and, therefore, denies these allegations.

262. The allegations set forth in Paragraph 262 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 262 and, therefore, denies these allegations.

263. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 263 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 263 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 263 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 263.

264. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 264 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent that the allegations in Paragraph 264 relate to other Defendants and/or

third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations.

265. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 265 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent that the allegations in Paragraph 265 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 265.

266. Tyson admits that Dick Bond attended the AMI Executive Committee meeting in January 2008 but denies any further characterizations thereof. To the extent the allegations in Paragraph 266 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 266 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 266.

267. To the extent the allegations in Paragraph 267 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

268. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 268 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or

conclusions. To the extent the allegations in Paragraph 268 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

269. The allegations set forth in Paragraph 269 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 269 and, therefore, denies these allegations.

270. To the extent the allegations in Paragraph 270 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 270 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 270.

271. To the extent the allegations in Paragraph 271 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 271 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 271.

272. The allegations set forth in Paragraph 272 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph 272 and, therefore, denies these allegations.

273. Paragraph 273 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 273 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

274. The allegations set forth in Paragraph 274 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 274 and, therefore, denies these allegations.

275. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 275 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 275 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

276. The allegations set forth in Paragraph 276 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 276 and, therefore, denies these allegations.

277. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 277 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 277 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 277 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 277.

278. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 278 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 278 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

279. The allegations set forth in Paragraph 279 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 279 and, therefore, denies these allegations.

280. The allegations set forth in Paragraph 280 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph 280 and, therefore, denies these allegations.

281. The allegations set forth in Paragraph 281 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 281 and, therefore, denies these allegations.

282. The allegations set forth in Paragraph 282 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 282 and, therefore, denies these allegations.

283. The allegations set forth in Paragraph 283 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 283 and, therefore, denies these allegations.

284. The allegations set forth in Paragraph 284 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 284 and, therefore, denies these allegations.

285. To the extent the allegations in Paragraph 285 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 285.

286. Tyson admits that in 2009, its subsidiary The Pork Group implemented the long-planned closure of hog-growing facilities in Arkansas because they were not profitable, resulting in a temporary reduction of TPG's total sow herd of 20,000 sows. To the extent the allegations in Paragraph 286 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 286.

287. To the extent the allegations in Paragraph 287 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

288. Paragraph 288 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 288 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 288 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 288.

289. The allegations set forth in Paragraph 289 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 289 and, therefore, denies these allegations.

290. To the extent the allegations in Paragraph 290 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 290 and, therefore, denies these allegations.

291. The allegations set forth in Paragraph 291 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 291 and, therefore, denies these allegations.

292. To the extent the allegations in Paragraph 292 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 292 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 292.

293. To the extent the allegations in Paragraph 293 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

294. To the extent the allegations in Paragraph 294 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

295. To the extent the allegations in Paragraph 295 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

296. Paragraph 296 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 296 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 296 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations.

297. The allegations set forth in Paragraph 297 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 297 and, therefore, denies these allegations.

298. Paragraph 298 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent that the allegations in Paragraph 298 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations.

299. Paragraph 299 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 299 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 299 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations.

300. The allegations set forth in Paragraph 300 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 300 and, therefore, denies these allegations.

301. The allegations set forth in Paragraph 301 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph 301 and, therefore, denies these allegations.

302. The allegations set forth in Paragraph 302 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 302 and, therefore, denies these allegations.

303. The allegations set forth in Paragraph 303 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 303 and, therefore, denies these allegations.

304. The allegations set forth in Paragraph 304 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 304 and, therefore, denies these allegations.

305. The allegations set forth in Paragraph 305 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 305 and, therefore, denies these allegations.

306. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 306 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 306 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 306 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 306.

307. The allegations set forth in Paragraph 307 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 307, and, therefore, denies these allegations.

308. The allegations set forth in Paragraph 308 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 308, and, therefore, denies these allegations.

309. To the extent the allegations in Paragraph 309 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson lacks knowledge or

information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 309 and, therefore, denies these allegations.

310. To the extent the allegations in Paragraph 310 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

311. Tyson admits only that Sue Tresham previously worked for Tyson but denies any further characterization of her employment with Tyson, and the characterization of any other employees' positions with Tyson in Paragraph 311. To the extent the allegations in Paragraph 311 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 311 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 311.

312. The allegations set forth in Paragraph 312 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 312 and, therefore, denies these allegations.

313. To the extent the allegations in Paragraph 313 purport to relate to Tyson, Tyson denies them. To the extent that the allegations in Paragraph 313 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 313 and, therefore, denies these allegations.

314. To the extent the allegations in Paragraph 314 purport to relate to Tyson, Tyson denies them. To the extent that the allegations in Paragraph 151 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 314 and, therefore, denies these allegations.

315. To the extent the allegations in Paragraph 315 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 315 and, therefore, denies these allegations.

316. The allegations set forth in Paragraph 316 re not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 316 and, therefore, denies these allegations.

317. Tyson denies the conspiracy alleged in the Complaint. Paragraph 317 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions.

318. To the extent the allegations in Paragraph 318 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies all other allegations in Paragraph 318.

319. The allegations set forth in Paragraph 319 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 319 and, therefore, denies these allegations.

320. To the extent the allegations in Paragraph 320 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

321. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 321 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 321 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 321.

322. To the extent the allegations in Paragraph 322 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 322 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 322.

323. The allegations set forth in Paragraph 323 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in

this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 323 and, therefore, denies these allegations.

324. To the extent the allegations in Paragraph 324 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

325. To the extent the allegations in Paragraph 325 purport to relate to Tyson, Tyson denies them. To the extent that the allegations in Paragraph 325 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 325 and, therefore, denies these allegations. To the extent the allegations in Paragraph 325 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

326. The allegations set forth in Paragraph 326 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 326 and, therefore, denies these allegations.

327. The allegations set forth in Paragraph 327 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 327 and, therefore, denies these allegations.

328. The allegations set forth in Paragraph 328 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 328 and, therefore, denies these allegations.

329. The allegations set forth in Paragraph 329 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 329 and, therefore, denies these allegations.

330. The allegations set forth in Paragraph 330 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 330 and, therefore, denies these allegations.

331. To the extent the allegations in Paragraph 331 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 331. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 331 and, therefore, denies these allegations.

332. The allegations set forth in Paragraph 332 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph 332 and, therefore, denies these allegations.

333. To the extent the allegations in Paragraph 333 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 333 and, therefore, denies these allegations.

334. To the extent the allegations in Paragraph 334 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 334 and, therefore, denies these allegations.

335. The allegations set forth in Paragraph 335 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 335 and, therefore, denies these allegations.

336. The allegations set forth in Paragraph 336 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 336 and, therefore, denies these allegations.

337. The allegations set forth in Paragraph 337 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 337 and, therefore, denies these allegations.

338. The allegations set forth in Paragraph 338 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 338 and, therefore, denies these allegations.

339. The allegations set forth in Paragraph 339 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 339 and, therefore, denies these allegations.

340. The allegations set forth in Paragraph 340 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 340 and, therefore, denies these allegations.

341. To the extent the allegations in Paragraph 341 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson lacks knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph 341 and, therefore, denies these allegations.

342. To the extent the allegations in Paragraph 342 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 342 and, therefore, denies these allegations.

343. The allegations set forth in Paragraph 343 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 343 and, therefore, denies these allegations.

344. To the extent the allegations in Paragraph 344 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 344 and, therefore, denies these allegations.

345. The allegations set forth in Paragraph 345 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 345 and, therefore, denies these allegations.

346. The allegations set forth in Paragraph 346 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 346 and, therefore, denies these allegations.

347. Tyson admits only that the 2014 PEDv epidemic significantly impacted Tyson's pork production, and that Tyson makes production decisions based on its own independent business judgment. Paragraph 347 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent that the allegations in Paragraph 347 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations.

348. Tyson specifically denies the conspiracy alleged in the Complaint. To the extent the allegations in Paragraph 348 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 348 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations.

349. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 349 and, therefore, denies these allegations.

350. The allegations set forth in Paragraph 350 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in

this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 350 and, therefore, denies these allegations.

351. To the extent the allegations in Paragraph 351 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

352. The allegations set forth in Paragraph 352 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 352 and, therefore, denies these allegations.

353. The allegations set forth in Paragraph 353 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 353 and, therefore, denies these allegations

354. The allegations set forth in Paragraph 354 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 354 and, therefore, denies these allegations.

355. To the extent the allegations in Paragraph 355 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any

characterization or description that is inconsistent therewith. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 355 and, therefore, denies these allegations.

356. The allegations set forth in Paragraph 356 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 356 and, therefore, denies these allegations.

357. The allegations set forth in Paragraph 357 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 357 and, therefore, denies these allegations.

358. The allegations set forth in Paragraph 358 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 358 and, therefore, denies these allegations.

359. The allegations set forth in Paragraph 359 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 359 and, therefore, denies these allegations.

360. The allegations set forth in Paragraph 360 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 360 and, therefore, denies these allegations.

361. The allegations set forth in Paragraph 361 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 361 and, therefore, denies these allegations.

362. To the extent the allegations in Paragraph 362 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 362 and, therefore, denies these allegations.

363. The allegations set forth in Paragraph 363 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 363 and, therefore, denies these allegations.

364. The allegations set forth in Paragraph 364 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph 364 and, therefore, denies these allegations.

365. The allegations set forth in Paragraph 365 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 365 and, therefore, denies these allegations.

366. To the extent the allegations in Paragraph 366 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in paragraph 366.

367. The allegations set forth in Paragraph 367 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 367 and, therefore, denies these allegations.

368. The allegations set forth in Paragraph 368 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 368 and, therefore, denies these allegations.

369. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 369 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response

is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent that the allegations in Paragraph 369 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 369.

370. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 370 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 370 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 370.

371. To the extent the allegations in Paragraph 371 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 371 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 371 and, therefore, denies these allegations.

372. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 372 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 372 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any

characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 372 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 372 and, therefore, denies these allegations.

373. Paragraph 373 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 373 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 373 and, therefore, denies these allegations.

374. Paragraph 374 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 374 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 374 relate to other Defendants and/or third parties to this action, Tyson denies knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 374.

375. Paragraph 375 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 375

characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 375 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 375.

376. Paragraph 376 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 376 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson lacks knowledge or information sufficient to form a belief as to the truth of any remaining allegations in Paragraph 376 and, therefore, denies these allegations.

377. The allegations set forth in Paragraph 377 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 377 and, therefore, denies these allegations.

378. Tyson denies the allegations in Paragraph 378.

379. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 379 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions.

380. Paragraph 380 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 380 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

381. Tyson specifically denies the conspiracy alleged in the Complaint. Tyson denies the allegations in Paragraph 381.

382. To the extent that the allegations in Paragraph 382 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. To the extent the allegations in Paragraph 382 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

383. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 383 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 383 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 383 and, therefore, denies these allegations.

384. To the extent the allegations in Paragraph 384 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

385. To the extent the allegations in Paragraph 385 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

386. To the extent the allegations in Paragraph 386 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

387. To the extent the allegations in Paragraph 178 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

388. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 388 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions.

389. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 389 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions.

390. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 390 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response

is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions.

391. Tyson denies the allegations in Paragraph 391.

392. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 392 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions.

393. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 393 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 393 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

394. The allegations set forth in Paragraph 394 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 394 and, therefore, denies these allegations.

395. To the extent the allegations in Paragraph 395 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 395.

396. The allegations set forth in Paragraph 396 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 396 and, therefore, denies these allegations.

397. The allegations set forth in Paragraph 397 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 397 and, therefore, denies these allegations.

398. The allegations set forth in Paragraph 398 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 398 and, therefore, denies these allegations.

399. Paragraph 399 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 399 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 399.

400. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 400 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response

is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 400 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 400 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 400.

401. To the extent the allegations in Paragraph 401 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 401 and, therefore, denies these allegations.

402. The allegations set forth in Paragraph 402 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 402 and, therefore, denies these allegations.

403. The allegations set forth in Paragraph 403 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 403 and, therefore, denies these allegations.

404. To the extent the allegations in Paragraph 404 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

405. The allegations set forth in Paragraph 405 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 405 and, therefore, denies these allegations.

406. To the extent the allegations in Paragraph 406 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

407. The allegations set forth in Paragraph 407 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 407 and, therefore, denies these allegations.

408. To the extent the allegations in Paragraph 408 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

409. To the extent the allegations in Paragraph 409 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson lacks knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph 409 and, therefore, denies these allegations.

410. The allegations set forth in Paragraph 410 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 410 and, therefore, denies these allegations.

411. The allegations set forth in Paragraph 411 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 411 and, therefore, denies these allegations.

412. To the extent the allegations in Paragraph 412 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith.

413. Paragraph 413 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent that the allegations in Paragraph 413 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 413 and, therefore, denies these allegations.

414. To the extent the allegations in Paragraph 414 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 414 and, therefore, denies these allegations.

415. The allegations set forth in Paragraph 415 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 415 and, therefore, denies these allegations.

416. To the extent the allegations in Paragraph 416 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 416 and, therefore, denies these allegations.

417. The allegations set forth in Paragraph 417 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 417 and, therefore, denies these allegations.

418. Paragraph 418 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent that the allegations in Paragraph 418

relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 418.

419. The allegations set forth in Paragraph 419 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 419 and, therefore, denies these allegations.

420. To the extent the allegations in Paragraph 420 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 420 and, therefore, denies these allegations.

421. The allegations set forth in Paragraph 421 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 421 and, therefore, denies these allegations.

422. To the extent the allegations in Paragraph 422 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson lacks knowledge or information sufficient to form a belief as to the truth of any remaining allegations in Paragraph 422 and, therefore, denies these allegations.

423. The allegations set forth in Paragraph 423 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 423 and, therefore, denies these allegations.

424. To the extent the allegations in Paragraph 424 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 424 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 424.

425. The allegations set forth in Paragraph 425 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 425 and, therefore, denies these allegations.

426. The allegations set forth in Paragraph 426 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 426 and, therefore, denies these allegations.

427. The allegations set forth in Paragraph 427 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in

this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 427 and, therefore, denies these allegations.

428. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 428 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions.

429. Tyson denies the allegations in Paragraph 429.

430. The allegations set forth in Paragraph 430 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 430 and, therefore, denies these allegations.

431. Tyson specifically denies the conspiracy alleged in the Complaint. The allegations set forth in Paragraph 431 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 431 and, therefore, denies these allegations.

432. Tyson specifically denies the conspiracy alleged in the Complaint. The allegations set forth in Paragraph 432 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 432 and, therefore, denies these allegations.

433. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 433 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 433 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 433 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 433.

434. Tyson admits only that Deb McConnell was in part responsible for submitting information to Agri Stats during the Relevant Time Period. To the extent the allegations in Paragraph 434 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 434 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson denies any remaining allegations in Paragraph 434.

435. To the extent the allegations in Paragraph 435 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 435.

436. Paragraph 436 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies

such characterizations and/or conclusions. To the extent the allegations in Paragraph 436 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 436.

437. Tyson admits only that during the relevant time period, Tyson and some other pork producers submitted information to Agri Stats, and Agri Stats reported anonymized information to Tyson, for procompetitive benchmarking purposes, as it had done since at least the mid-1990s. Paragraph 437 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 437 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any characterization or description that is inconsistent therewith. Tyson denies any remaining allegations in Paragraph 437.

438. The allegations set forth in Paragraph 438 are not directed to Tyson and, therefore, no response is required from Tyson. To the extent any of the allegations set forth in this Paragraph could be construed as allegations against Tyson, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 438 and, therefore, denies these allegations.

439. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 439 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent the allegations in Paragraph 439 characterize or describe documents or other sources, Tyson notes that such sources speak for themselves and denies any

characterization or description that is inconsistent therewith. To the extent that the allegations in Paragraph 439 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 439 and, therefore, denies these allegations.

440. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 440 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. To the extent that the allegations in Paragraph 440 relate to other Defendants and/or third parties to this action, Tyson lacks knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies these allegations. Tyson lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 440 and, therefore, denies these allegations.

441. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 441 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. Tyson denies any remaining allegations in Paragraph 441.

442. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 442 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. Tyson denies any remaining allegations in Paragraph 442.

443. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 443 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. Tyson denies any remaining allegations in Paragraph 443.

444. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 444 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. Tyson denies any remaining allegations in Paragraph 444.

445. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 445 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. Tyson denies any remaining allegations in Paragraph 445

446. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 446 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. Tyson denies any remaining allegations in Paragraph 446.

447. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 447 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. Tyson denies any remaining allegations in Paragraph 447.

448. Tyson specifically denies the conspiracy alleged in the Complaint. Paragraph 448 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response

is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. Tyson denies any remaining allegations in Paragraph 448.

449. Tyson denies the allegations in Paragraph 449.

450. Tyson incorporates by reference its answers to each preceding and succeeding paragraph, as if fully set forth herein in response to this Paragraph.

451. Paragraph 451 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. Tyson denies any remaining allegations in Paragraph 451.

452. Paragraph 452 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. Tyson denies any remaining allegations in Paragraph 452.

453. Paragraph 453 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. Tyson denies any remaining allegations in Paragraph 453.

454. Tyson denies the allegations in Paragraph 454.

455. Tyson denies the allegations in Paragraph 455.

456. Tyson denies the allegations in Paragraph 456.

457. Tyson denies the allegations in Paragraph 457.

458. Tyson denies the allegations in Paragraph 458.

459. Tyson denies the allegations in Paragraph 459.

460. Paragraph 460 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. Tyson denies any remaining allegations in Paragraph 460.

461. Paragraph 461 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. Tyson denies any remaining allegations in Paragraph 461.

462. Paragraph 462 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. Tyson denies any remaining allegations in Paragraph 462.

463. Paragraph 463 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. Tyson denies any remaining allegations in Paragraph 463.

464. Paragraph 464 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. Tyson denies any remaining allegations in Paragraph 464.

465. Paragraph 465 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies

such characterizations and/or conclusions. Tyson denies any remaining allegations in Paragraph 465.

466. Tyson denies the allegations in Paragraph 466.

467. Tyson denies the allegations in Paragraph 467.

468. Tyson denies the allegations in Paragraph 468.

469. Tyson denies the allegations in Paragraph 469.

470. Paragraph 470 contains Plaintiffs' characterization of their claims and/or legal conclusions to which no response is required. To the extent a response is required, Tyson denies such characterizations and/or conclusions. Tyson denies any remaining allegations in Paragraph 470.

471. Tyson denies the allegations in Paragraph 471.

ANSWER TO CLAIMS FOR RELIEF AND CAUSES OF ACTION

- A. Tyson denies that Plaintiffs are entitled to any of the relief requested herein.
- B. Tyson denies that Plaintiffs are entitled to any of the relief requested herein.
- C. Tyson denies that Plaintiffs are entitled to any of the relief requested herein.
- D. Tyson denies that Plaintiffs are entitled to any of the relief requested herein.

ANSWER TO JURY DEMAND

Plaintiffs jury trial demand does not contain factual allegations to which a response is required. To the extent a response is required, Tyson also demands a jury trial as set forth below.

ADDITIONAL ALLEGATIONS AND GENERAL DENIAL

Tyson denies all allegations in the Complaint unless Tyson has expressly admitted those allegations herein. Where an allegation in the Complaint is directed at another Defendant or a party that is not affiliated with Tyson, then except as otherwise expressly stated, Tyson denies

the allegations set forth in the Complaint on the basis that it denies the knowledge or information sufficient to form a belief concerning the truth of such allegations. Further, unless otherwise expressly admitted, Tyson denies any allegations in the headings, footnotes or in other places in the Complaint, including in the non-enumerated paragraphs in pages 1-18, to the extent that any such allegations require a response. Any headings, subheadings or similar text that Tyson has included in this Answer are for the convenience of the Court and the parties, and are not intended to be nor shall they be construed as an admission of any fact by Tyson.

AFFIRMATIVE DEFENSES

Without assuming any burden that it otherwise would not bear, and reserving the right to assert additional defenses as those defenses become known during discovery, Tyson asserts the following separate and additional defenses pursuant to Federal Rule of Civil Procedure 8.

FIRST DEFENSE

(Asserted against all Direct Action Plaintiffs)

1. Plaintiffs' claims are barred, in whole or in part, by the applicable statute of limitations.
2. The statute of limitations for Plaintiffs' claims is four years. 15 U.S.C. §15(b); Plaintiffs filed their original Complaints in the above captioned litigation throughout 2021 (the "Original Complaints"). The information Plaintiffs allege in support of their claims had been public for more than four years before the Original Complaints were filed.
3. Plaintiffs' effort to implicate Tyson in the alleged conspiracy relies on language set forth in Tyson's 2009 10K Report, which would have been available to the public for almost twelve years before Plaintiffs filed their Original Complaints. DAP Am. Compl. ¶ 173. Plaintiffs' Complaints cite other public statements made by Tyson. *See, e.g., Id.* ¶ 240 ("In 2010 Tyson reported a 3.3% decrease in its pork sales volume coupled with increased export sales,

which also accounted for a decrease in its capacity utilization rate.”).

4. Information pled by Plaintiffs regarding the pork industry as alleged dates from more than four years before the Original Complaints were filed. *See id.*, ¶ 181 (“Between 1988 and 2015, just the top four pork producers . . . increased their market share from 34 percent in 1988 to 70 percent in 2018.”), ¶ 222; (alleging production cuts in 2008, 2009, 2012, and 2013), ¶ 223 (quoting a 2009 *Pork Powerhouses*: “[T]he nation’s largest 25 producers have cut sow numbers . . . [by] a drop of 6.4%.”).

5. Tyson’s participation in trade associations and meetings was public more than four years before the Original Complaints were filed. *See, e.g., Id.*, ¶ 193, 197 (alleging Defendants’ participation in numerous industry trade groups).

6. Class Plaintiffs’ fraudulent concealment claims were dismissed by the Court on October 16, 2020. Mem. Op. & Order at 21, *In re Pork Antitrust Litigation*, No. 0:18-cv-01776-JRT-HB (D. Minn. Oct. 16, 2020). Direct Action Plaintiffs have not pled additional facts sufficient to toll the statute of limitations.

7. Plaintiffs’ Complaints are time-barred.

SECOND DEFENSE
(Asserted against all Direct Action Plaintiffs)

8. Plaintiffs’ claims are barred by the equitable doctrine of laches.

9. The doctrine of laches stems from “the desire to avoid unfairness that can result from the prosecution of stale claims.” *Goodman v. McDonnell Douglas Corp.*, 606 F.2d 800, 805 (8th Cir. 1979). Specifically, the laches defense is available when there is: (1) lack of diligence by the party against whom the defense is asserted, and (2) prejudice to the party asserting the defense.” *National Railroad Passenger Corp. v. Morgan*, 536 U.S. 101, 121-22 (2002) (quoting *Kansas v. Colorado*, 514 U.S. 673, 687 (1995)).

10. Tyson hereby incorporates Paragraphs 3-6 of Tyson's Affirmative Defenses, *supra*, in support of this Second Defense. Plaintiffs demonstrated an unreasonable lack of diligence in bringing their claims. Additionally, Plaintiffs' unreasonable delay in bringing their claims has resulted in economic prejudice to Tyson. Tyson continued to invest in its relationships with direct pork-product purchasers while Plaintiffs delayed their claims alleging misconduct in Tyson's pork-related activities. Tyson also continued to pay to participate in Agri Stats. This unreasonable lack of diligence in raising their claims bars them now.

11. Accordingly, the equitable principles embodied by the doctrine of laches bar Plaintiffs from seeking relief at this delayed juncture.

THIRD DEFENSE
(Asserted against all Direct Action Plaintiffs)

12. Plaintiffs' claims are barred, in whole or in part, because Plaintiffs failed to exercise reasonable care to mitigate, prevent, or avoid any alleged damages.

13. Tyson hereby incorporates Paragraphs 3-6 of Tyson's Affirmative Defenses, *supra*, in support of this Third Defense.

14. If Plaintiffs believed that Defendants were unfairly and anti-competitively raising prices for their direct purchasers through the use of Agri Stats and by conspiring at trade forums for approximately nine years or more before filing their Original Complaints, Plaintiffs had an obligation to switch to pork integrators that are not alleged to have been part of the alleged conspiracy, including but not limited to those that process specialty pork such as organic, pasture-raised and/or locally-sourced.

15. Plaintiffs' failure to exercise reasonable care to mitigate damages was the complete or partial cause of any damages Plaintiffs are alleged to have suffered.

FOURTH DEFENSE

(Asserted against all Direct Action Plaintiffs)

16. Plaintiffs' claims are barred, in whole or in part, by the doctrine of waiver as a result of Plaintiffs' own acts and omissions.

17. Tyson hereby incorporates Paragraphs 3-6 of Tyson's Affirmative Defenses, *supra*, in support of this Fourth Defense.

18. According to facts alleged in Plaintiffs' Complaints, allegations of the existence of trade coordination have been public since at least 2007, if not earlier. For example, Plaintiffs rely on excerpts from 2007 and 2009 articles to allege that pork producers were making the productions cuts central to Plaintiffs' allegations. *See* Tyson's Affirmative Defenses ¶ 4.

19. Plaintiffs' conduct in continuing to purchase pork products under a system of allegedly artificially inflated pricing is evidence of Plaintiffs' waiver of any right to bring this suit. Plaintiffs' conduct was, and continues to be, inconsistent with any intention other than to waive their right to bring suit.

20. Plaintiffs, by their actions, accepted the benefits of an ongoing relationship with Tyson and relinquished their right to bring suit.

FIFTH DEFENSE

(Asserted against all Direct Action Plaintiffs)

21. Without admitting any violation of the Sherman Act, Plaintiffs' claims and/or entitlement to damages for their claims are barred, in whole or in part, by non-settling Defendants' right to offset any amounts paid to Plaintiffs by any Defendants who have settled, or do settle, Plaintiffs' claims in this action.

SIXTH DEFENSE

(Asserted against all Direct Action Plaintiffs)

22. Plaintiffs' claims are barred in whole or in part, to the extent they seek improper

multiple damage awards, and damage awards duplicative of those sought in other actions, specifically, the class action litigations consolidated in *In re Pork Antitrust Litig.*, 18-cv-1776 (D. Minn.); *State of New Mexico v. Agri Stats, Inc.*, D-101-CV-2021-01478 (1st Jud. District Court N.M.); and *State of Alaska v. Agri Stats, Inc.*, 3AN-21-07791CI (Super. Ct. Alaska), in violation of the Due Process guarantees of the Fifth and Fourteenth Amendments of the United States Constitution.

SEVENTH DEFENSE
(Asserted against all Direct Action Plaintiffs)

23. Plaintiffs’ claims are barred, in whole or in part, because the alleged damages are speculative and too difficult to ascertain.

24. Claims for damages under Clayton Act § 4 must fail when the alleged damages are unduly speculative or difficult to ascertain. *See, e.g., Associated Gen. Contractors of Cal., Inc. v. Cal. State Council of Carpenters*, 459 U.S. 519, 545 (1983) (concluding that the “tenuous and speculative character of the relationship between the alleged antitrust violation” and the alleged injury, along with other factors, “weigh heavily against judicial enforcement” of the antitrust claim); *Sharp v. United Airlines, Inc.*, 967 F.2d 404, 409 (10th Cir. 1992) (rejecting antitrust standing in part on the basis of speculative damages); *Home Placement Serv., Inc. v. Providence Journal Co.*, 819 F.2d 1199, 1205 (1st Cir. 1987) (“If the plaintiff’s proffered evidence permits no more than ‘pure speculation and guesswork,’ then the damage evidence is insufficient as a matter of law.” (citations omitted)); *see also IQ Dental Supply, Inc. v. Henry Schein, Inc.*, 924 F.3d 57, 66-67 (2d Cir. 2019) (“Although ‘some degree of uncertainty stems from the nature of antitrust law,’ a high degree of speculation in a damages calculation suggests that ‘a given plaintiff is an inefficient engine of enforcement.’ . . . As the district court correctly ascertained, calculating IQ’s damages essentially would require the creation of an ‘alternative

universe.’ . . . Thus, IQ’s damages calculation rests on multiple layers of speculation. No amount of expert testimony can adequately ameliorate the highly speculative nature of IQ’s alleged losses.” (citations omitted)).

25. Plaintiffs allege that Defendants “illegally limited the supply of pork, manipulated its price, injured the Plaintiffs, and caused them damages by forcing them to pay inflated, supra-competitive prices for pork.” DAP Am. Compl. ¶ 471.

26. Pork product pricing varies based on, among other things, (i) the integrator, (ii) the complex, (iii) complex-specific factors, (iv) feed and other input cost fluctuations, and (v) both local and global market supply and demand.

27. The large number of factors that affect pork product pricing renders any damages calculation speculative.

28. Plaintiffs’ claims of damages are therefore too speculative or difficult to ascertain.

EIGHTH DEFENSE
(Asserted against all Direct Action Plaintiffs)

29. Without admitting the existence of any contract, combination, or conspiracy in restraint of trade, and expressly denying the same, Plaintiffs’ claims are barred, in whole or in part, to the extent that Plaintiffs entered into cost-plus contracts with parties who purchased from Plaintiffs before Plaintiffs began paying any purported overcharge.

NINTH DEFENSE
(Asserted against Plaintiffs The Kroger Co., Albertsons Companies, Inc., Hy-Vee, Inc., Save Mart Supermarkets, US Foods, Inc., Associated Grocers of the South, Inc., Dollar General Corporation, Dolgencorp, LLC, Meijer, Inc., Meijer Distribution, Inc., Publix Super Markets, Inc., Raley’s United Natural Foods, Inc., Supervalu, Inc., Associated Grocers of Florida, Inc., Unified Grocers, Inc., Tony’s Fine Foods, and Wakefern Food Corp., Action Meat Distributors, Inc., Giant Eagle Corp., and UniPro Foodservice, Inc.)

30. Plaintiffs’ Claim under the Packers & Stockyards Act should be dismissed and referred to the Secretary of Agriculture under the Doctrine of Primary Jurisdiction.

31. Primary jurisdiction is a “judicially created doctrine whereby a court of competent jurisdiction may dismiss or stay an action pending a resolution of some portion of the action by an administrative agency. *Jackson v. Swift Eckrich, Inc.*, 53 F.3d 1452, 1455 (8th Cir. 1995). The doctrine “is concerned with promoting proper relationships between the courts and administrative agencies charged with particular regulatory duties.” *Crain v. Blue Grass Stockyards Co.*, 399 F.2d 868, 872 (10th Cir. 1968). Referral is required when the inquiry “is essentially one of fact and of discretion in technical matters; and uniformity can be secured only if its determination is left to the [regulator].” *Id.* at 871.

32. The Plaintiffs allege Defendants violated the Packers & Stockyards Act by exchanging sensitive information through Agri Stats. Whether the exchange of information through Agri Stats – a tool used across various agricultural industries – and its usage by various agricultural producers is a violation of the Packers & Stockyards Act is a factual question requiring the technical expertise of the Secretary of the Agriculture.

TENTH DEFENSE

(Asserted against Plaintiffs The Kroger Co., Albertsons Companies, Inc., Hy-Vee, Inc., Save Mart Supermarkets, US Foods, Inc., Associated Grocers of the South, Inc., Dollar General Corporation, Dolgencorp, LLC, Meijer, Inc., Meijer Distribution, Inc., Publix Super Markets, Inc., Raley’s United Natural Foods, Inc., Supervalu, Inc., Associated Grocers of Florida, Inc., Unified Grocers, Inc., Tony’s Fine Foods, and Wakefern Food Corp., Action Meat Distributors, Inc., Giant Eagle Corp., and UniPro Foodservice, Inc.)

33. Plaintiffs’ Claims are barred under the Packers & Stockyards Act because the Plaintiffs lack standing.

34. Section 209 of the Packers & Stockyards Act grants a private right of action to any person injured by a violation of the Packers & Stockyards Act relating to the “[i] purchase, sale, or handling of *livestock*, [ii] the purchase or sale of poultry, or [iii] relating to any poultry growing arrangement or swine production contract.” 7 U.S.C. § 209(a).

35. Plaintiffs do not allege injury caused by the “purchase, sale, or handling of livestock,” which is defined as “cattle, sheep, swine, horses, mules, or goats—whether live or dead.” 7 U.S.C. § 182(4). Nor do Plaintiffs allege injury arising from a contract with Defendants relating to any “swine production contract.” Plaintiffs allege injury through the sale of what the Act defines as “meat food products”—all products and byproducts of the slaughtering and meat-packing industry—if edible.” 7 U.S.C. § 182(3). But the Packers & Stockyards Act does not grant a private right of action for injuries resulting from a violation of the Act in connection with the sale of “meat food products.”

36. Thus, Plaintiffs’ claim falls outside the scope of Section 209(a) and Plaintiffs do not have standing to assert a private right of action under the law.

RESERVATION OF RIGHTS TO ASSERT ADDITIONAL DEFENSES

Tyson has not knowingly or intentionally waived any applicable defenses, and it reserves the right to assert and rely upon other applicable defenses that may become available or apparent as this matter proceeds. Tyson reserves the right to amend or seek to amend this list of affirmative defenses.

PRAYER FOR RELIEF

WHEREFORE, Tyson respectfully requests that judgment be entered in favor of Tyson and the other Defendants and against Direct Action Plaintiffs, dismissing the Consolidated Complaint in its entirety with prejudice. Tyson further requests that this Court (i) award Tyson its costs and disbursements, and (ii) award such other and further relief as the Court deems just and proper.

JURY TRIAL DEMANDED

Pursuant to the Federal Rules of Civil Procedure 38, Defendant Tyson demands a trial by

jury on all claims so triable.

Dated: January 20, 2023

Respectfully submitted,

/s/ Tiffany Rider Rohrbaugh
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